NISHIOKA et al. -- A

Amendment

Reconsideration and allowance of the above-identified application in view of the foregoing amendments and following remarks are respectfully requested.

Claims 40-70 are pending in the application, claims 1-39 are directed to a non-elected invention. Please cancel claims 1-39 without prejudice or disclaimer.

ELECTION/RESTRICTION UNDER 35 U.S.C. 121

Applicants elect species II claims 40-48, drawn to a plate-like image pickup device, classified in class 349, subclass 1.

Newly added claims 49-70 are readable upon elected species II. Newly added claims 49-70 are directed to an optical device rather than an optical element.

Applicants have addressed all of the Reminer's restriction requirements and respectfully submit that the Application is in condition for allowance. A Notice to that effect is earnestly solicited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Henry J. Daley

Reg. No. 42,459

Phone: (202) 775-9832

GJP/HJD/KXG 1600 Tysons Boulevard McLean, VA 22102